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FROM WILLKIE FARR 37 FAX DEPT.

(MON) 2.20'06 21:16/ST. 21:16/NO. 4200000596 P 1

PATENT

Attorney Docket No. 114596 03 4000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/385,394 Confirmation No.: 9093
Applicant: John S. Yates, Jr., et al.
Title: COMPUTER FOR EXECUTING TWO DIFFERENT INSTRUCTION SETS
Filed: August 30, 1999 Art Unit: 2183
Atty Docket: 114596-03-4000 Examiner: Richard Ellis

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Petition for Extension of Time fees were mistakenly double-charged to our deposit account on both April 18, 2005 and again on April 29, 2005.

Please refund \$1,020.00 to Deposit Account No. 23-2405. Order No. 114596-03-4000, for serial no. 09/385,394.

This is a third request - earlier requests were filed June 21, 2005 and August 25, 2005.

Respectfully submitted,

WILLKIE FARR & GALLAGHER LLP

Dated: February 21, 2006

By: 
David E. Boundy
Registration No. 36,461

I certify that this correspondence is being transmitted on February 21, 2006 to Commissioner for Patents, FAX no. 571-273-6500. P.O. Box 1450, Alexandria, VA 22313-1450.


David E. Boundy

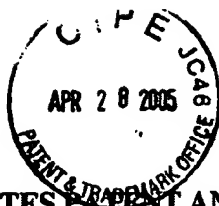
WILLKIE FARR & GALLAGHER LLP
787 Seventh Ave.
New York, New York 10019
(212) 728-8757
(212) 728-9757 Facsimile

Request for Refund
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09/385,394

PAGE 1/1 * RCVD AT 2/20/2006 8:24:43 PM [Eastern Standard Time] * SVR:USPTO-EFXXRF-6/24 * DNIS:2736500 * CSID:12127288111 * DURATION (mm-ss):00-26

Application Serial No. 09/385,394
Atty. Docket No. 114596-03-4000



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PATENT

ATTORNEY DOCKET NO. 114596-03-4000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/385,394
Applicant: John S. Yates, Jr., et al.
Title: COMPUTER WITH TWO DIFFERENT EXECUTION MODES
Filed: August 30, 1999
Art Unit: 2183
Examiner: Richard Ellis
Atty. Docket: 114596-03-4000
Customer No. 38492

Confirmation No.: 9093

I certify that this correspondence, along with any documents referred to therein, is being deposited with the United States Postal Service on April 25, 2005 as First Class Mail in an envelope with sufficient postage addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Handwritten signature of James E. Boes.

NOTICE OF APPEAL

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Subject to resolution of a Petition to Reopen Prosecution currently pending, Appellant hereby appeals to the Board of Patent Appeals and Interferences from the Office Action dated October 25, 2004, even though many of the non-allowed claims have not been fully examined, are therefore not rejected. Charge the Notice of Appeal fee of \$ 500.00 to Deposit Account 23-2405, Order No. 114596-03-4000.

In the event that the Petition to Reopen Prosecution is granted, the period for responding to the Office Action of October 25, 2004 was tolled by the Response thereto of January 25, 2005, and in that case no extension of time is therefore necessary.

In the event that a Petition for Extension of Time is necessary, and has not already been paid, kindly charge the Petition fee of \$ 1,020.00 to Deposit Account 23-2405, Order No. 114596-03-4000.

04/29/2005 WABDELRI 00000064 232405 09385394
01 FC:1401 500.00 DA

04/29/2005 WABDELRI 00000064 232405 09385394
04 FC:1253 1020.00 DA

Adjustment date: 05/16/2005 SDENBOB1
04/29/2005 WABDELRI 00000064 232405 09385394
04 FC:1253 1020.00 CR

Notice of Appeal
This paper dated April 25, 2005

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114596-03-4000

S/N 09/385,394
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